

Appl. No. 09/384,811
Amdt. dated July 14, 2004
Reply to Office Action of June 16, 2004

PATENT

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

Claims 1-8 (cancelled)

9. (Currently amended) A method of generating a stably transformed barley plant comprising a stably expressed transgene, the method comprising introducing the Ds element comprising the transgene into a barley plant and introducing a nucleic acid sequence encoding an Ac transposase into the barley plant before or after the step of introducing the Ds element ~~population~~, whereby the Ds element comprising the transgene reintegrates into a barley plant genome through transposase-mediated excision; ~~and selecting a barley plant in which the Ds element comprising the transgene is reintegrated,~~ generating at least two generations of progeny in which the transgene is expressed, thereby obtaining the stably transformed barley plant comprising the stably expressed transgene.

10. (Cancelled)

11. (Currently Amended) The method of claim 9, wherein the Ds element is introduced into the barley plant ~~population~~ using bombardment-mediated transformation of plant cells followed by regeneration of plants from the cells.

12. (Cancelled)

13. (Currently Amended) The method of claim ~~12~~ 9, wherein the nucleic acid sequence encoding an Ac transposase is introduced by a sexual cross.

14. (Currently Amended) The method of claim ~~12~~ 9, wherein the nucleic acid sequence encoding an Ac transposase is in an Ac element.

15. (Original) The method of claim 14, wherein the Ac element is linked to a negative selectable marker.

16. (Original) The method of claim 15, wherein the negative selectable marker is *codA*.

Claims 17-25. (Cancelled)

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26. (Previously Presented) The method of claim 9, wherein the step of selecting comprises selecting barley plants in which a single copy of the Ds element is reintegrated.